

MARICOPA COUNTY AIR QUALITY DEPARTMENT
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GENERAL PERMIT TO OPERATE AND/OR CONSTRUCT

(As required by Title 49, Chapter 3, Article 2, Section 49-480, Arizona Revised Statutes)

ARIZONA
for

GASOLINE DISPENSING OPERATIONS

This General Permit to operate and/or construct does relieve the applicant of responsibility for meeting all air pollution requirements.

EXPIRATION DATE: 11/3/2013

REVISION DATE: 5/2/08

ISSUANCE DATE: 11/3/08

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**General Permit to Operate and/or Construct
Gasoline Dispensing Operations**

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General Permit to Operate and/or Construct for Gasoline Dispensing Operation

SECTION 1

AUTHORITY

This General Permit is authorized by Rule 200 and Rule 230 of the Maricopa County Air Pollution Control Regulations (Rules) pursuant to Section 49-480.J of the Arizona Revised Statutes. In that the Arizona Department of Environmental Quality has not issued a general permit for *Gasoline Dispensing Operations* in Maricopa County as defined herein, the Maricopa County Air Quality Department is authorized to issue this General Permit.

[ARS §49-480.J][County Rules 200 and 230]

SECTION 2

DEFINITIONS

For the purposes of this General Permit, the following definitions shall apply:

CARB-Certified - A vapor control system, subsystem, or component that has been specifically approved by system configuration and manufacturer's name and model number in an executive order of the California Air Resources Board (CARB), pursuant to Section 41954 of the California Health and Safety Code. Such orders are included in CARB's publication, "Gasoline Facilities – Phase I & II", which is available as set forth in subsection 503.4 of County Rule 353.

Dispensing Tank - Any stationary tank which dispenses *Gasoline* into a motorized vehicle's fuel tank that directly fuels its engine(s). This includes aircraft.

Dual-point vapor balance system means a type of vapor balance system in which the storage tank is equipped with an entry port for a gasoline fill pipe and a separate exit port for a vapor connection.

Excess Gasoline Drainage - More than 10 milliliters (2 teaspoonfuls) of liquid *Gasoline* lost from the end of a fill hose or vapor hose in the process of connecting or disconnecting the hose; or any quantity of *Gasoline* escaping out the end of such a hose that wets any area(s) on the ground having an aggregate area greater than 113 square inches, or the perimeter of which would encompass a circle of 12 inches (30.5 cm) diameter. This does not include drainage into a fill-tube's spill containment receptacle.

Existing source means, a source that is not a New Source.

Gasoline - Any petroleum distillate or blend of petroleum distillate with other combustible liquid(s), such as alcohol, that is used as a fuel for internal combustion engines and has a vapor pressure between 4.0 and 14.7 psi (200 – 760 mm Hg), as determined by the applicable method pursuant to subsections 503.2 and 504.2 of County Rule 353. For the purposes of these Permit Conditions, liquefied petroleum gas (LPG) is excluded.

Gasoline Cargo Tank means a delivery tank truck or railcar which is loading gasoline or which has loaded gasoline on the immediately previous load.

Gasoline Delivery Vessel - Any vehicular-mounted container such as a tanker truck, tank trailer, cargo tank or any other wheel mounted container used to transport *Gasoline*. This includes any hosing the vessel carries through which deliveries must be made.

Gasoline Dispensing Operation/Facility - All *Gasoline Dispensing Tanks* and associated equipment located on one or more contiguous or adjacent properties under the control of the same person (or persons under common control).

Gasoline Vapors - Vapors, originating from liquid *Gasoline* that are usually found in mixture with air. Included are any droplets of liquid *Gasoline* or of *Gasoline* vapor condensate that are entrained by the vapor.

Leak Free - A condition in which there is no liquid *Gasoline* escape or seepage of more than 3 drops per minute from *Gasoline* storage, handling, and ancillary equipment, including, but not limited to, seepage and escapes from above ground fittings.

Monthly throughput means the total volume of gasoline that is loaded into all gasoline storage tanks during a month, as calculated on a rolling 30-day average.

New Source means a Gasoline dispensing facility (GDF) for which construction or reconstruction of the source was commenced after November 9, 2006.

Poppetted Dry Break - A Stage 1 vapor recovery device that opens only by connection to a mating device to ensure that no *Gasoline* vapors escape from the *Dispensing Tank* before the vapor return line is connected.

Responsible Official - One of the following:

- A. For a corporation: A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or a duly authorized representative of such person if the representative is responsible for the overall operation of one or more operating facilities applying for or subject to a permit and the delegation of authority to such representatives is approved in advance by the Department;
- B. For a partnership or sole proprietorship: A general partner or the proprietor respectively;
- C. For a municipality or other public agency: Either a principal executive officer or ranking elected official.

Stage I Vapor Recovery System - At a *Gasoline* dispensing facility, the use of installed vapor recovery equipment designed to reduce by at least 90%, the VOC vapor that would otherwise be displaced into the atmosphere from a *Dispensing Tank* when *Gasoline* is delivered into the tank by a *Gasoline Delivery Vessel*. This reduction may be done either by capturing the displaced vapors within the *Gasoline Delivery Vessel*, and/or by processing the vapors on site with an emission processing device (such as a VOC oxidizer).

Submerged filling means, for the purposes of this subpart, the filling of a gasoline storage tank through a submerged fill pipe whose discharge is no more than 6 inches from the bottom of the tank. Bottom filling of gasoline storage tanks is included in this definition.

Tank Capacity - The maximum volume of liquid *Gasoline* a particular tank is allowed to store while still complying with all applicable rules, including local, state, and Federal rules.

Vapor balance system means a combination of pipes and hoses that create a closed system between the vapor spaces of an unloading gasoline cargo tank and a receiving storage tank such that vapors displaced from the storage tank are transferred to the gasoline cargo tank being unloaded.

Vapor Loss Control Device - Any piping, hoses, equipment, or devices which are used to collect, store and/or process VOC vapors at a service station or other *Gasoline Dispensing Operation*.

Vapor Tight - A condition in which an organic vapor analyzer (OVA) or a combustible gas detector (CGD) at a potential VOC leak source shows either less than 10,000 ppm when calibrated with methane, or less than 1/5 of the lower explosive limit when prepared according to the manufacturer and used according to subsection 504.3 of County Rule 353.

[County Rule 353] [40 CFR 63.11132]

SECTION 3

AUTHORIZATION UNDER THIS GENERAL PERMIT

Any *Gasoline Dispensing Operation*, as defined in Section 2 of this General Permit shall be eligible for coverage under this General Permit if they meet the requirements as specified in Sections 4 and 5. However, if a *Gasoline Dispensing Operation* does not meet the provisions of Sections 4 and 5, they will be considered ineligible for coverage and may be required by the Control Officer to obtain an individual source permit.

A. AUTHORITY TO OPERATE (ATO) OR CONSTRUCT:

A facility is not covered by this General Permit unless a complete application for an ATO is filed with the Control Officer.

[County Rule 230 §303.1]

B. EFFECTIVE DATE AND EXPIRATION DATE OF AUTHORIZATION:

This General Permit shall be valid for five years after the date it is signed by the Control Officer. All ATOs issued under this General Permit expire on the same date that this General Permit expires regardless of when the ATO was issued. Any activity covered by this General Permit is authorized at the specified facility on the date the application is filed. The Control Officer will provide written notice of the expiration of this General Permit stating that the source must reapply for coverage. The Permittee may operate under the terms of this General Permit until the earlier of the date it submits a complete application for a new General Permit, or the filing deadline specified in the renewal notice sent by the Control Officer.

[County Rule 210 §302.1a] [County Rule 230 §§302.4, 303.3, 306 and 311.3]

C. REQUIREMENTS TO FILE AN APPLICATION FOR AN INDIVIDUAL SOURCE PERMIT:

1) Denial of an ATO:

If the Control Officer notifies the Permittee that the application for coverage under the General Permit is denied, the applicant must file an individual source permit application within 180 days of receipt of the denial notice.

2) Revocation of Authority to Operate:

If an ATO has been issued and the Permittee is later notified by the Control Officer of the revocation of the authority to operate under this General Permit because of expiration, termination, or cancellation, the Permittee must file an application for an individual source permit. The application for an individual source permit must be filed within 180 days of receiving the notice from the Control Officer. The Permittee may continue to operate under this General Permit until the earlier of either:

- a) The date that it submits a complete application for an individual source permit, or
- b) The date 180 days after receipt of the notice of expiration, termination, or cancellation.

[County Rule 230 § 311]

D. ISSUANCE OF AN INDIVIDUAL SOURCE PERMIT:

If the Control Officer issues an Individual Source Permit authorizing the same activity that is authorized by an ATO issued under this General Permit, the ATO shall become null and void on the date that the Individual Source Permit is issued.

[County Rule 230 §307]

SECTION 4

GENERAL REQUIREMENTS

A. COMPLIANCE REQUIRED:

The Permittee shall comply with the conditions and provisions of this Permit, and all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Compliance with the permit terms and conditions does not relieve, modify, or otherwise affect the Permittee's duty to comply with all air quality requirements of the Federal regulations, State Rules, and Maricopa County Rules. Any permit non-compliance is grounds for enforcement action; for a permit termination, revocation and re-issuance, or revision; or for denial of a permit renewal application. Non-compliance with any federally enforceable requirement in a permit constitutes a violation of the Clean Air Act. The Permittee shall halt or reduce activities if necessary to maintain compliance.

[County Rule 210 §302.1.h.(1), (2)][County Rule 230 §302.4.a.]

B. DUTY TO PROVIDE INFORMATION:

- 1) The Permittee shall furnish to the Control Officer, within a reasonable time, any information that the Control Officer may request in writing to determine whether cause exists for revoking the ATO, or to determine compliance with the permit. Upon request, the Permittee shall also furnish to the Control Officer copies of records required to be kept by the permit. For information claimed to be confidential, the Permittee shall furnish a copy of such records directly to the Administrator of EPA along with a claim of confidentiality if required to do so by the Control Officer.

[County Rule 210 §302.1h.(5)][County Rule 230 §302.4.a.]

- 2) If, while processing an application for an ATO, the Control Officer determines that additional information is necessary to evaluate or to take final action on that application, the Control Officer may request such information in writing and may set a reasonable deadline for a response. The Control Officer may, after one submittal by the applicant under this rule, reject an application that is still determined to be incomplete and shall notify the applicant of the decision by certified mail.

[County Rule 220 §301.4.e.]

- 3) If the Permittee has failed to submit any relevant facts or has submitted incorrect information in the application for an ATO, the Permittee shall, upon becoming aware of such failure or incorrect submittal, promptly submit such supplementary facts or corrected information.

[County Rule 220 §301.5]

C. FILING OF AN APPLICATION FOR AN ATO:

Any facility that is eligible for this General Permit according to the requirements of this Section may apply for an ATO by completing the necessary application forms that are approved by the Control Officer. The application shall be completed, all necessary information provided, and the ATO application shall be signed by the responsible official before the application may be processed.

[County Rule 230 §302.4b]

A source applying for an ATO under this Permit shall not propose nor accept pursuant to Rule 220 emission limitations, controls, or other requirements that are not included in this General Permit.

[County Rule 230 §302.5]

D. FACILITY CHANGES NOT REQUIRING A PERMIT REVISION:

- 1) Except for a physical change or a change in the method of operation at a Gasoline Dispensing Operation requiring the Permittee to obtain an individual permit, or a change subject to logging or notice requirements in Conditions D.2 or D.3 of this Section, a change at a Gasoline Dispensing Operation shall not be subject to revision, notice, or logging requirements of these General Permit Conditions.

[County Rule 220 §404.1]

- 2) The following changes may be made if the Permittee keeps on-site records of the changes according to Section 7 of this General Permit.
 - a) Changing process equipment, operating procedures, or making any other physical change if the permit requires the changes to be logged;
 - b) Engaging in any new exempted activity listed in County Rule 200, subsection 303.3(c), but not listed in the General Permit; and
 - c) Making a change that results in a decrease in actual emissions, if the Permittee wants to claim credit for the decrease in determining whether the Permittee has a net emissions increase for any purpose. The logged information shall include a description of the change that will produce the decrease in actual emissions. A decrease that has not been logged is creditable only if the decrease is quantifiable, enforceable, and otherwise qualifies as a creditable decrease.

[County Rule 220 §404.2.b, c, and e]
- 3) The following changes may be made if the Permittee provides written notice to the Control Officer in advance of the change as provided below:
 - a) Making a physical change or a change in the method of operation that increases actual emissions more than 10% of the major source threshold for any conventional air pollutant but does not require a permit revision: no less than 7 days before the change;
 - b) Making any change that would trigger an applicable requirement that already exists in the permit: no less than 30 days before the change, unless otherwise required by an applicable requirement;
 - c) Making a change that amounts to reconstruction of the source or an affected facility: no less than 7 days before the change. For purposes of this subsection, reconstruction of a source or an affected facility shall be presumed if the fixed capital cost of the new components exceed 50% of the fixed capital cost of a comparable entirely new source or affected facility and the changes to the components have occurred over the 12 consecutive months beginning with commencement of construction; and
 - d) Making a change that will result in the emissions of a new regulated air pollutant above an applicable regulatory threshold, but that does not trigger a new applicable requirement for that source category: no less than 30 days before the change. For purposes of this requirement, an applicable regulatory threshold for a conventional air pollutant shall be 10% of the applicable major source threshold for that pollutant.

[County Rule 220 §404.3.b, d, e and f]
- 4) For each change under Condition D.3 above, the written notice shall be by certified mail or hand delivery and shall be received by the Control Officer the minimum amount of time in advance of the change. Notifications of changes associated with emergency conditions, such as malfunctions necessitating the replacement of equipment, may be provided with less than required notice, but must be provided as far in advance of the change, or if advance notification is not practicable, as soon after the change, as possible.

[County Rule 220 §404.4]
- 5) The written notice shall include:
 - a) When the proposed change will occur;
 - b) A description of the change;
 - c) Any change in emissions of regulated air pollutants; and
 - d) Any permit term or condition that is no longer applicable as a result of the change.

[County Rule 220 §404.5]
- 6) Notwithstanding any other Condition of this General Permit, the Control Officer may require the Permittee

to obtain a new ATO or an individual permit for any change that, when considered together with any other changes submitted by the same facility under this Condition over a 5 year term, constitutes a change under County Rule 220 Section 403.2.

[County Rule 220 §404.6]

- 7) If a source change is described under both Condition D.2 and D.3 of this section, the source shall comply with Condition D.3 of this section.

[County Rule 220 §404.7]

- 8) If a source change is described under both Conditions D.3 and County Rule 220 section 403.1, the Permittee shall apply for a new ATO.

[County Rule 220 §404.8]

- 9) A Permittee may implement any change under Condition D.3 above without the required notice by applying for a new ATO.

[County Rule 220 §404.9]

E. PAY APPLICABLE FEES:

Sources applying for an ATO for this General Permit shall pay all fees to the Control Officer pursuant to Rule 280 of the Maricopa County Air Pollution Control Regulations.

[County Rule 280]

F. POSTING OF A PERMIT:

The Permittee shall post a copy of the ATO at the covered facility in such a manner as to be clearly visible. A complete copy of the General Permit and the original ATO shall be kept on the site during the life of the permit.

[County Rule 200 §311]

G. PROPERTY RIGHTS:

This General Permit does not convey any property rights of any sort, or any exclusive privilege.

[County Rule 210 §302.1.h.(4) and 230 §302.4.a]

H. RIGHT TO ENTRY AND INSPECTION:

For the purpose of assuring compliance with this General Permit, the Permittee shall allow the Control Officer or authorized representative, upon presentation of proper credentials:

- 1) To enter upon the Permittee's premises where the source is located or emissions related activity is conducted, or where records are required to be kept pursuant to the conditions of this Permit, and
- 2) To have access to and copy, at reasonable times, any records required to be kept under the terms and conditions of this General Permit, and
- 3) To inspect any source, at reasonable times, equipment (including monitoring and air pollution control devices), practices or operations regulated or required in this General Permit, and
- 4) To sample or monitor, at reasonable times, substances or parameters for the purpose of assuring compliance with this General Permit or other applicable requirements, and
- 5) To record any inspection by use of written, electronic, magnetic, and photographic media.

[County Rule 220 §302.17, 18, 19, 20, and 21]

I. SEVERABILITY:

The provisions of this General Permit are severable and, if any provision of this General Permit is held invalid, the remainder of this General Permit shall remain valid.

[County Rule 210 §302.1.g and 230 §302.4a]

SECTION 5**OPERATIONAL REQUIREMENTS AND LIMITATIONS**

The Permittee shall ensure that authorized activities are conducted in accordance with the following conditions:

A. THROUGHPUT:

The Permittee shall not allow the facility's *gasoline* throughputs to exceed any of the limits in the following table:

Controls	Maximum Monthly Limits	Rolling Twelve Month Limits
Uncontrolled (Non-resale)	10,000 gallons	120,000 gallons
Stage I Vapor Recovery	160,000 gallons	1,920,000 gallons
Stage I and II Vapor Recovery	740,000 gallons	8,880,000 gallons

The Rolling Twelve Month Limit shall include every period of twelve consecutive calendar months.

[County Rule 220 §304.1]

B. EMISSION LIMITATIONS AND MANAGEMENT PRACTICES:

The Permittee must not allow gasoline to be handled in a manner that would result in vapor releases to the atmosphere for extended periods of time. Measures to be taken include, but are not limited to, the following:

- 1) Minimize gasoline spills;
- 2) Clean up spills as expeditiously as practicable;
- 3) Cover all open gasoline containers and all gasoline storage tank fill-pipes with a gasketed seal when not in use;
- 4) Minimize gasoline sent to open waste collection systems that collect and transport gasoline to reclamation and recycling devices, such as oil/water separators.

[40 CFR §63.11116] [40 CFR §63.11117]

C. VAPOR LOSS CONTROL MEASURE REQUIREMENTS:

No person shall transfer or permit the transfer of *Gasoline* from any *Gasoline Delivery Vessel* into any stationary *Dispensing Tank* located above or below ground with a Tank Capacity of more than 250 gallons (946 liters) unless the following conditions are met:

- 1) Basic Tank Integrity:
No vapor or liquid escapes are allowed through a *Dispensing Tank's* outer surfaces, or from any of the joints where the tank is connected to pipe, wires, or other systems.
 - a) VOC Emission Standard:
 - (1) *Gasoline* delivery operations shall be *Vapor Tight*.
 - (2) Tanks and their fittings shall be *Vapor Tight* except for the outlet of a pressure/vacuum relief valve on a *Dispensing Tank's* vent pipe. Specifically, this means that at a probe tip distance of 1

inch (2.5 cm) from a surface, no vapor escape shall exceed 1/5 of the lower explosive limit. This applies to tanks containing *Gasoline* regardless of whether they are currently being filled, and to caps and other tank fittings.

- b) Leakage Limits: *Gasoline storage* and receiving operations shall be *Leak Free*. Specifically no liquid *Gasoline* escape of more than 3 drops per minute is allowed. This includes leaks through the walls of piping, fittings, fill hose(s), and vapor hose(s). There shall be no *Excess Gasoline Drainage* from the end of a fill hose or a vapor hose. Specifically, not more than 2 teaspoonfuls of *Gasoline* shall be lost in the course of a connect or disconnect process.
- c) Spill Containment Equipment:
 - (1) The entire spill containment system including gaskets shall be kept *Vapor Tight*.
 - i. The outer surface of the spill containment receptacle shall have no holes or cracks and shall allow no vapors to pass from the *Dispensing Tank* through it to the atmosphere.
 - ii. Spill containment receptacles shall be kept clean and free of foreign material at all times.
 - iii. Spill containment receptacles shall be inspected at least weekly. Records of inspection and cleaning shall be kept according to Section 7 of this Permit. If deliveries are less than weekly, inspection and recording of the inspection at the time of each delivery will be considered an acceptable alternative to the weekly inspection and recordkeeping requirements of this Condition.
 - (2) If the spill containment is equipped with a passageway to allow material trapped by the containment system to flow into the interior of the *Dispensing Tank*:
 - i. The passageway shall be kept vapor tight at all times, except during the short period when a person opens the passageway to immediately drain material trapped by the containment system into the tank.
 - ii. The bottom of the receptacle shall be designed and kept such that no puddles of *Gasoline* are left after draining through the passageway has ceased.
 - (3) The *Dispensing Tank* owner/operator is responsible for assuring that before a delivery vessel leaves the premises after a delivery:
 - i. Any *Gasoline* in a *Dispensing Tank*'s spill containment receptacle has been removed.
 - ii. Any *Gasoline* that a person has taken out of a spill receptacle, as a free liquid or as absorbed into/onto other material removed from the receptacle, shall be contained in such a way that VOC emission is prevented; disposal in conformance with applicable hazardous waste rules is sufficient to meet this requirement.
 - iii. Any plunger/stopper assembly is unimpeded and sealing correctly.
 - (4) Criteria of Violation/Exceedance for Spill-Containment Receptacles: A reading on a CGD or OVA exceeding 1/5 LEL (10,000 ppm as methane) is an exceedance.

[County Rule 353 §300] [County Rule 353 §301]

2) Fill Pipe Requirements:

a) Submerged Fill Pipe:

Each fill-line into a stationary *Dispensing Tank* shall be equipped with a permanent submerged fill pipe that has a discharge opening which is completely submerged when the liquid level is six inches above the tank bottom.

- (1) Threads, gaskets, and mating surfaces of the fill pipe assembly shall be designed and maintained tight. There shall be no liquid or vapor leakage at the joints of the assembly.
- (2) The Permittee is responsible to assure that external fittings of a fill pipe assembly shall be inspected weekly to assure that cap, gasket, and piping are intact and are not loose.
 - i. A record of the inspection shall be made according to Section 7 of these Permit Conditions.
 - ii. The Permittee shall act to prevent driver/deliverers from connecting the delivery hose coupling to a fill pipe coupling with so much twisting force that the fill pipe assembly is loosened. One method of complying is to have a CARB-certified swivel coupling as part of the fill pipe assembly (reference subsection 503.4 of County Rule 353 for CARB).
 - iii. If deliveries are less than weekly, inspection and recording of the inspection at the time of each delivery will be considered an acceptable alternative to the weekly inspection and recordkeeping requirements of this Condition.

b) Fill Pipe Caps:

- (1) The cap shall have a securely attached, intact gasket.
- (2) The cap and its gasket shall always function properly, latch completely so that it cannot then be easily twisted by hand, and have no structural defects.
- (3) The cap of a *Gasoline* fill pipe shall always be fastened securely on the fill pipe except immediately before, during, and immediately after:
 - i. “Sticking” the tank to measure *Gasoline* depth
 - ii. Delivering *Gasoline* into the tank
 - iii. Doing testing, maintenance or inspection on the *Gasoline*/vapor system
- (4) Do not unfasten or remove a fill pipe cap unless every other fill pipe is either securely capped or connected to a delivery hose, except as otherwise needed for testing, maintenance, or inspection.

c) Multiple Fill Pipes:

- (1) A tank installed after December 31, 1998 shall not be equipped with more than one fill pipe unless there is a 2-point system having a properly installed vapor return pipe close to each fill pipe.
- (2) Concurrent Delivery: The Permittee of a *Dispensing Tank* fitted with more than 1 fill pipe shall prevent concurrent delivery of *Gasoline* by a *Gasoline Delivery Vessel* to more than 1 fill pipe of the tank by locking additional pipes shut or by using other permanent means unless:
 - i. All fill pipes in use are part of a 2-point vapor recovery system and

- ii. Before making a concurrent delivery through a tank's second fill pipe, an additional vapor return hose from the delivery vessel must first be attached to the vapor return line associated with the second fill pipe.
 - d) **Fill Pipe Obstructions:**
No screen and/or other obstructions in fill pipe assemblies shall be allowed unless it is *CARB-certified* or does not prevent the measurement of how far the end of the fill pipe is from the bottom of the tank (overflow protection flappers are acceptable). Allowed screens and/or other obstructions shall be temporarily removed by the Permittee of a *Dispensing Tank* prior to inspection by the Control Officer to allow measurements pursuant to this Permit.
 - e) **Overflow Protection Equipment:**
Overflow prevention equipment shall be *Vapor Tight* to the atmosphere. Any device mounted within the fill pipe shall be so designed and maintained that no vapor from the vapor space above the *Gasoline* within the tank can penetrate into the fill pipe or through any of the fill pipe assembly into the atmosphere.

[County Rule 353 §302]
- 3) **Vapor Recovery System Requirements:**
- a) **Stage I Vapor Recovery System:** The source shall maintain and operate a *Stage I Vapor Recovery System*. Non-resale Gasoline Dispensing Operations with a 12 month rolling throughput of less than 120,000 gallons do not have to comply with this requirement.

[County Rule 353 §305.2]
 - b) **Stage I Vapor-Recovery System Configuration**
 - (1) **Replacement:** After June 16, 1999, no part of a vapor recovery system for which there is a CARB specification shall be replaced with anything but *CARB-Certified* components.
 - (2) **Vapor Valves:**
 - i. All vapor return lines from *Dispensing Tanks* shall be equipped with *CARB-Certified*, spring loaded, *Vapor Tight*, *Poppetted Dry Break* valves.
 - ii. Vapor valves shall be inspected weekly to determine if closure is complete and gaskets are intact; a record shall be made pursuant to Section 7 of this Permit.
 - (3) **Above-Ground Systems:** After June 16, 1999, an above ground *Dispensing Tank* shall have *CARB-Certified* fittings wherever CARB so specifies.
 - (4) **New Systems:** Each new *Gasoline* tank installation shall use *CARB-Certified* fittings exclusively wherever CARB so specifies, and:
 - i. Shall have its own separate, functioning 2-point vapor return line;
 - ii. Is allowed to have a combination vapor recovery system that in addition to having a separate 2-point Stage 1 vapor return line, also has stage 1 vapor piping/fittings linking it to one or more (other) *Gasoline Dispensing Tanks*.
 - (5) **New Coaxial Prohibited:**
 - i. No coaxial fill pipes shall be installed after June 16, 1999 in new installations; and

- ii. No coaxial fill pipes shall be reinstalled after June 16, 1999, in major modifications in which the top of the tank is exposed and the vapor port bung is pre-configured to accept vapor recovery piping.

[County Rule 353 §303]

- c) **Stage II Vapor Recovery.** If the facility is required to install a Stage II Vapor Recovery System pursuant to ARS Title 41, Chapter 15, the Stage II Vapor Recovery System permit shall be obtained from the State of Arizona prior to operation of the facility.

[ARS Title 41, Chapter 15]

4) Equipment Maintenance and Use Requirements

All vapor loss control equipment shall be installed as required, operated as recommended by the manufacturer, and maintained *Leak Free, Vapor Tight* and in good working order.

- a) Both the owner/operator of a *Dispensing Tank* and the driver/operator of a delivery vessel delivering *Gasoline* to the fuel *Dispensing Tank* equipped with vapor recovery shall have the responsibility to assure that vapor recovery equipment is properly connected and in use at all times while *Gasoline* is actively being dropped/delivered.
- b) The owner/operator of a fuel *Dispensing Tank* shall refuse delivery of *Gasoline* from a *Gasoline Delivery Vessel* which does not bear a current pressure test certification decal issued by the Control Officer. The permit condition does not apply during times when the facility is unattended or there is only one person under control of the dispensing facility present.
- c) Coaxial Fill tubes, if allowed, shall be maintained according to the standards of their manufacturer(s) and be operated so that there is no obstruction of vapor passage from the tank to the *Gasoline Delivery Vessel*.

[County Rule 353 §304]

SECTION 6

GASOLINE DISPENSING FACILITIES WITH A MONTHLY THROUGHPUT OF 100,000 GALLONS OF GASOLINE OR MORE

A. AFFECTED SOURCE:

- 1) The affected source to which these Permit Conditions apply is each new, reconstructed, or existing Gasoline Dispensing Facility (GDF) that is located at an area source. The affected source includes each gasoline cargo tank during the delivery of product to a GDF and also includes each storage tank.

[40 CFR §63.11111(a)]
- 2) If your GDF has a monthly throughput of 100,000 gallons of gasoline or more, you must comply with the requirements in this Section.

[40 CFR §63.11111(d)]
- 3) An affected source shall, upon request by the Control Officer/Administrator, demonstrate that their average monthly throughput is less than the 100,000-gallon threshold level, as applicable.

[40 CFR §63.11111(e)]
- 4) The loading of aviation gasoline storage tanks at airports is not subject to this Section and the aviation gasoline is not included in the gasoline throughput specified in Conditions (2) and (3) of this Permit Condition.

[40 CFR §63.11111(g)]

B. APPLICABILITY DATE:

- 1) The owner and operator of a New Source must be in compliance with the requirements of this Section by **January 10, 2008** or the date of initial startup of the affected source, whichever is later.
[40 CFR §63.11113(a)]
- 2) If you have an existing affected source, you must comply with these Permit Conditions no later than **January 10, 2011**.
[40 CFR §63.11113(b)]
- 3) If you have an existing affected source that becomes subject to the control requirements in these Permit Conditions because of an increase in the average monthly throughput, as specified in Permit Conditions A.2 or A.3 of this Section, you must comply with these Permit Conditions no later than 3 years after the affected source becomes subject to these control requirements.
[40 CFR §63.11113(c)]

C. EMISSION LIMITATIONS AND MANAGEMENT PRACTICES - VAPOR BALANCE SYSTEM:

The Permittee shall install and operate a vapor balance system on your gasoline storage tanks that meets the requirements of Section 5 Permit Condition C.3 along with the additional requirements listed below:

- 1) All vapor connections and lines on the storage tank shall be equipped with closures that seal upon disconnect.
- 2) The vapor balance system shall be designed such that the pressure in the tank truck does not exceed 18 inches of water pressure or 5.9 inches water vacuum during product transfer.
- 3) The vapor recovery and product adaptors, and the method of connection with the delivery elbow, shall be designed so as to prevent the over-tightening or loosening of fittings during normal delivery operations.
- 4) If a gauge well separate from the fill tube is used, it shall be provided with a submerged drop tube that extends to within 6 inches from the bottom of the storage tank.
- 5) Pressure/vacuum vent valves shall be installed on the storage tank vent pipes. For systems where vapors from vehicle refueling operations are not recovered, the positive cracking pressure shall be 13.8 inches of water and the negative cracking pressure shall be 6.9 inches of water. For systems where vapors from vehicle refueling operations are recovered (Stage II controls), the positive cracking pressure shall be 3 inches of water and the negative cracking pressure shall be 8 inches of water. Deviations of within ± 0.5 inches of the specified positive cracking pressures and ± 2.0 inches of the negative pressure are acceptable. The leak rates for pressure/vacuum valves, including connections, shall be less than or equal to 0.17 cubic feet per hour at a pressure of 2 inches of water and 0.21 cubic feet per hour at a vacuum of 4 inches of water.
- 6) The vapor balance system shall be capable of meeting the static pressure performance requirement of the following equation:

$$P_f = 2e^{-500.887/v}$$

Where:

P_f = Minimum allowable final pressure, inches of water.
 v = Total ullage affected by the test, gallons.
 e = Dimensionless constant equal to approximately 2.718.
 2 = The initial pressure, inches of water.

[40 CFR §63.11118(b)]

D. TESTING AND MONITORING REQUIREMENTS:

Each owner or operator of a New Source shall comply with the requirements below at the time of installation of a vapor balance system, and every 3 years thereafter. Each owner or operator of an Existing Source shall comply with the requirements below by the compliance date specified in Permit Condition B of this Section, and every 3 years thereafter.

- 1) The Permittee must demonstrate compliance with the leak rate and cracking pressure requirements for pressure-vacuum vent valves installed on gasoline storage tanks using the test methods identified in either (1) or (2), specified below:
 - a) California Air Resources Board Vapor Recovery Test Procedure TP-201.1E - Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, adopted October 8, 2003
 - b) Use alternative test methods and procedures in accordance with the alternative test method requirements in CFR §63.7(f).

[40 CFR §63.11120(a)(1)]
- 2) The Permittee must demonstrate compliance with the static pressure performance requirement for vapor balance systems by conducting a static pressure test on gasoline storage tanks using the test methods identified in either (1) or (2), specified below:
 - a) California Air Resources Board Vapor Recovery Test Procedure TP-201.3 - Determination of 2-Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities, adopted April 12, 1996, and amended March 17, 1999; or,
 - b) Use alternative test methods and procedures in accordance with the alternative test method requirements in CFR §63.7(f).

[40 CFR §63.11120(a)(2)]

E. NOTIFICATION AND REPORTING REQUIREMENTS:

- 1) Initial Notification:
 - a) The Permittee must submit an Initial Notification indicating that they are subject to this subpart by May 9, 2008, or the date of initial startup of the affected source, whichever is later.
 - b) The initial notification must contain the information specified below:
 - (1) The name and address of the owner and the operator.
 - (2) The address (i.e., physical location) of the gas dispensing facility.
 - (3) A statement that the notification is being submitted in response to this subpart and identifying the requirements in subparts D & E of this Section that apply to your facility.

[40 CFR §63.11124(b)(1)]
- 2) Notification of Compliance Status:
 - a) The Permittee must submit a Notification of Compliance Status to the applicable EPA Regional Office and the delegated State authority by the compliance date specified in Permit Condition B of this Section. The Notification of Compliance Status must be signed by a responsible official who must certify its accuracy and must indicate whether the source has complied with the all requirements of this Section.

- b) If the facility is in compliance with all requirements of this Section at the time the Initial Notification required under Condition E.1 of this Section is due, the Notification of Compliance Status may be submitted in lieu of the Initial Notification provided it contains the information required under Condition E.1 and E.2.a of this Section.

[40 CFR §63.11124(b)(2)]
- 3) Exemption:

If, prior to January 10, 2008, the Permittee operates a vapor balance system that meets either of the requirements below then they are not required to submit an Initial Notification or a Notification of Compliance Status:

 - a) The vapor balance system achieves emissions reduction of at least 90 percent; or,
 - b) The vapor balance system is operated using management practices at least as stringent as those in Permit Condition C of this Section.

[40 CFR §63.11124(b)(3)]
- 4) Notification of Performance Testing:
 - a) The Permittee must submit a Notification of Performance Testing prior to initiating testing required by Permit Condition D of this Section.

[40 CFR §63.11124(b)(4)]
- 5) Notifications shall be submitted to the following agencies:
 - a) Maricopa County Air Quality Department, Attn: Compliance Manager, 1001 N. Central Ave., Suite 400, Phoenix, Arizona 85004-1944
 - b) Environmental Protection Agency, Region 9 (AIR-1), 75 Hawthorne St., San Francisco, CA 94105

[40 CFR §63.11124]

SECTION 7

RECORDKEEPING AND LOGGING REQUIREMENTS

A. GASOLINE RECEIVED:

The Permittee shall maintain records of the total amount of *Gasoline* received each month, as well as each rolling 12-month total (i.e., last complete month plus the previous 11 months). The total amount of *Gasoline* received each month as well as the 12-month rolling total shall be recorded by the end of the following month.

[County Rule 353 §502.1][County Rule 220 §304.1]

B. REPAIRS:

The Permittee shall maintain records of repairs, replacements, and modifications of any component of the Stage I Vapor Recovery System.

[County Rule 200 §309][County Rule 220 §302.7]

C. INSPECTIONS:

The Permittee shall keep records of fill tube, vapor valve, and spill containment inspections. The findings of such inspections shall be permanently entered in a record or log book by the end of Saturday of the following week.

[County Rule 353 §502.2]

D. TESTING AND MONITORING:

Each owner or operator subject to the Testing and Monitoring Requirements of Section 6 must keep records of all tests performed under Permit Condition D of Section 6.

[40 CFR §63.11125]

E. RETENTION OF RECORDS:

All records and reports required by this Permit shall be retained for at least five years and shall be made available to the Control Officer upon request.

[County Rule 353 §502.3]

F. ACCESSIBILITY:

Records of the past 12 months shall be in a readily accessible location and must be made available to the Control Officer without delay upon verbal or written request.

[County Rule 353 §502.4]

G. LOGGING REQUIREMENTS:

- 1) If the Permittee makes a change that requires logging, then the Permittee shall keep such log for 5 years from the date the source creates such log.

[County Rule 220 §501]

- 2) If the Permittee makes a change that requires logging, then the Permittee shall perform such logging in indelible ink in a bound logbook with sequentially numbered pages, or in any other form, including electronic format, if approved by the Control Officer. Each log entry shall include at least the following information:

- a) A description of each change including:

- (1) A description of any process change.

- (2) A description of any equipment change, including both old and new equipment descriptions, model numbers, and serial numbers, or any other unique equipment number.

- (3) A description of any process material change.

- b) The date and time that the change occurred.

- c) The provision of Section 4 Condition D.2 of this General Permit that authorizes the change to be made with logging.

- d) The date the log entry was made and the first and last name of the person making the log entry.

[County Rule 220 §502]

SECTION 8

REPORTING REQUIREMENTS

A. LOGS REPORTING:

A copy of all facility change logs required by these Permit Conditions shall be filed with the Control Officer within 30 days after each anniversary of the permit issue date. If no changes were made at the source requiring logging, a statement to that effect shall be filed instead.

[County Rule 220 §503]

B. CERTIFICATION OF TRUTH, ACCURACY, AND COMPLETENESS:

Any document required to be submitted by this General Permit, including reports, shall contain a certification by the facility owner or other responsible official as defined in County Rule 100§200.95, of truth, accuracy, and completeness. This certification and any other certification required under this part shall state that, based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

[County Rule 100 §401 and 220 §302.14]

C. EMISSION INVENTORY:

If notified by the Control Officer, the Permittee shall submit an annual emissions inventory report to the Department, Air Quality Division, Attention: Air Quality Emissions Unit Manager, in accordance with Rule 100 of the Maricopa County Air Pollution Control Regulations. The report shall include the throughput and any excess emissions reported during the previous calendar year.

[County Rule 100 §505]

D. EXCESS EMISSIONS AND MALFUNCTION REPORTING:

- 1) Emissions in excess of an applicable emission limitation contained in this General Permit shall constitute a violation. For all situations that constitute an emergency, the requirements of Condition E of this Section shall apply. In all other circumstances, it shall be an affirmative defense if the owner and/or operator of the source has complied with the reporting requirements of Condition D.2 and D.3 below as set forth.

[County Rule 140 §401]

- 2) The Permittee shall report to the Control Officer any emissions in excess of the limits established by this General Permit. Such report shall be in two parts as specified below:

- a) Notification by telephone or facsimile within 24 hours of the time when the Permittee first learned of the occurrence of excess emissions, including all available information from Condition D.3 of this Section.
- b) Excess emissions report containing the information described in Condition D.3 of this Section within 72 hours of the notification required in Condition D.2.a above.

[County Rule 140 §501]

- 3) The excess emissions report shall contain the following information ^{Notepad.Ink} :

- a) The identity of each stack or other emission point where the excess emissions occurred.
- b) The magnitude of the excess emissions expressed in the units of the applicable emissions limitation and the operating data and calculations used in determining the magnitude of the excess emissions.
- c) The time and duration or expected duration of the excess emissions.
- d) The identity of the equipment from which the excess emissions emanated.
- e) The nature and cause of such emissions.
- f) The steps taken, if the excess emissions were the result of a malfunction, to remedy the malfunction and the steps taken or planned to prevent the recurrence of such malfunction.
- g) The steps that were or are being taken to limit the excess emissions. If the source's permit contains procedures governing source operation during periods of startup or malfunction and the excess emissions resulted from startup or malfunction, the report shall contain a list of steps taken to comply with the permit procedures.

[County Rule 140 §502]

- 4) In the case of the continuous or recurring excess emissions, the notification requirements of this General Permit shall be satisfied if the source provides the required notification after excess emissions are first detected and includes in such notification an estimate of the time the excess emissions will continue. Excess emissions occurring after the estimated time period or changes in the nature of the emissions as originally reported shall require additional notification that meets the criteria of Conditions D.2 and D.3 above.

[County Rule 140 §503]

E. EMERGENCY REPORTING PROVISION:

- 1) An “emergency” means any situation arising from sudden and reasonably unforeseeable events beyond the control of the source, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the source to exceed a technology-based emission limitation under this Permit, due to unavoidable increases attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventative maintenance, careless or improper operation, or operator error.

[County Rule 130 §201]

- 2) An emergency constitutes an affirmative defense to an action brought for noncompliance with the technology-based emission limitations, so long as the definition as set forth in Condition E.1 above in this Section has been met.

[County Rule 130 §401]

- 3) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

- a) An emergency occurred and the Permittee can identify the cause or causes of the emergency;
- b) At the time of the emergency, the permitted source was being properly operated;
- c) During the period of the emergency, the Permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and
- d) The Permittee, as soon as possible, telephoned the Control Officer, giving notice of the emergency, and submitted notice of the emergency to the Control Officer by certified mail, facsimile, or hand delivery within 2 working days of the time when emission limitations were exceeded due to the emergency. This notice shall contain a description of the emergency, any steps taken to mitigate emissions and corrective action taken.

[County Rule 130 §402]

- 4) In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.

[County Rule 130 §403]

- 5) The provisions of this permit condition are in addition to any emergency or upset provision contained in any applicable requirement.

[County Rule 130 §404]